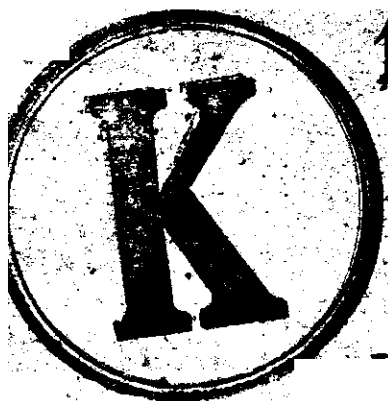




1950

File No. O. Probation  
of Offenders/50

Legal Deptt.  
A BRANCH

Subject:— Opinions under the Bombay  
Probation of Offenders Act,  
1948

E  
7-2

File No. O. Probation of Offenders/50

350-A

S U B J E C T

Legal Department File No. O. Probation offenders/50

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| Cr.No. | R.F./C.No. | Subject | P- ages |
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Opinions under the Bday  
Probation of offenders Act,  
1948.

1. C.No. 17.1/7-2-50

Amendment of the Act

Question regarding permission  
to the court to direct that  
the offender shall be placed  
under the supervision of  
~~a Probation Officer who~~  
need not necessarily be  
within the jurisdiction  
of the court.

1-2

OK  
2/16

Office of the R.L.A.

Under section 5(2) and (3) of the Bombay Probation of Offenders Act, 1948, it would be permissible to the Court to direct that the offender shall be placed under the supervision of a Probation Officer, who need not necessarily be within the jurisdiction of the Court. Rule 5 also confirms that position. However, it would not be legally feasible for the Court to direct that the offender shall reside in a place outside the Province; for, the word "residence" cannot be so construed as to confer an extra territorial jurisdiction, which is ordinarily not an attribute of Provincial legislation.

Sd/-P.M.Iad  
6-2

O.C. Remembrancer of Legal Affairs.

U.R. to H.D.No. 1731. dated the 7th February 1950.

S.A.K.  
28-6  
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